

Frequently Asked Questions Regarding Legal Permanent Residents



I am a Lawful Permanent Resident and have been outside of the United States for over one year and do not have a valid reentry permit (Form I-327), may I return to the U.S.?

If you are a Lawful Permanent Resident and are outside of the U.S., you must re-enter the United States (U.S.) within one year from the date of your departure from the U.S. to maintain your Permanent Resident status. A legal permanent resident who remains outside the U.S. for over one year without a valid reentry permit has jeopardized his/her legal resident status. If such a person wishes to return to the U.S. as a legal resident, two options exist:

1. Obtain a new immigrant visa petition; or
2. **File an application for a Returning Resident (SB-1) visa.** In order to apply for an SB-1 visa, the applicant must come to the Embassy in person any business day, between 9:00 a.m. and 10:00 a.m. with the following documents:
 - i) Valid passport
 - ii) Original green card and a copy
 - iii) Completed form [DS-117](#)
 - iv) SB1 [fee](#) .
 - iv) Two photos (color frontal portrait photographs with a WHITE background; the total frame should be 5 cm x 5 cm and the head size 3 cm x 3 cm).

The applicant must provide evidence that he/she departed the United States with the intention of returning to an unrelinquished residence and that his/her stay abroad was for reasons beyond his/her control and for which he/she was not responsible. There is no guarantee the application will be approved, and no refunds are available for denied applications. If the application is approved, the applicant will then be scheduled for a second appointment after assembling the regular documentation required of all immigrant visa applicants, such as a medical exam and police certificates. This second appointment can be scheduled after two to three months. The applicant will need to pay the application [fee](#) and bring the appropriate [documents](#) to the visa interview.

Please note that the Immigrant Visa Unit remains closed to public on last Wednesday of every month.

I am a legal permanent resident of the U.S. but I wish to remain outside the U.S. for over one year. Is it possible to do so?

Under current regulations a legal permanent resident of the United States (i.e. a person holding a green card) must return to the U.S. within 364 days of the last departure in order to retain status as a permanent resident. If the person has obtained a reentry permit (form I-327), the person must return to the United States within the validity of the reentry permit in order to retain status as a permanent resident. Reentry permits cannot be extended, and applications are only accepted in the U.S. by the U.S. Citizenship and Immigration Services. See www.uscis.gov for more information.

My request for a reentry permit is approved. How can I collect it?

If you have requested to receive your reentry permit overseas, you can contact the United States Citizenship and Immigration Service (USCIS) office by e-mail at cis.ndi@dhs.gov for assistance.

I am a Lawful Permanent Resident, with an expired validity on my Permanent Resident Card (Green Card) and want to return to the United States, what do I do?

As outlined in 9 FAM 42.22 N2:1, a lawful permanent resident of United States in possession of an expired Form I-551 (green card) with a ten-year validity may board an aircraft going to the United States if the expiration date is the only reason for not boarding the alien. However, a conditional permanent resident in possession of an expired Form I-551 with two-year validity must present evidence that the Form I-551 expiration date has been extended.

My green card has expired but I have been outside the U.S. for less than one year. May I travel to the U.S.?

As outlined in 9 FAM 42.22 N2:1, a legal permanent resident of the United States in possession of an expired Form I-551 (green card) with a ten-year validity may board an aircraft going to the United States if the expiration date is the only reason for not boarding the alien. No transportation letter is needed, and no fines shall be made against the carrier for transporting such an alien. However, a conditional permanent resident in possession of an expired Form I-551 with two-year validity must present evidence that the Form I-551 expiration date has been extended.

I have lost my "Green Card", what do I do now?

If you have lost your green card, you can contact the Customs and Border Protection (CBP) office for assistance regarding the issuance of a boarding foil. The CBP office can be contacted by e-mail at CBPNewDelhiInquiry@State.Gov. When contacting the CBP office, please provide the details of your passport, a police report regarding the loss of the green card (if it was stolen), evidence of the most recent date of departure from the United States, a copy of your green card evidencing your lawful permanent resident (LPR) status.

I have a valid reentry permit (Form I-327) but have lost my green card or it is expired. May I travel to the U.S.?

Per 8CFR 211.1, an alien in possession of a valid form I-327, Permit to reenter the United states (i.e. reentry permit), does not require a visa to reenter the United States. Therefore, you may travel with only your valid reentry permit.

I am a legal permanent resident of the U.S. While I was outside the U.S., I gave birth to a child. Now I wish to return to the U.S. May I take my child with me?

As outlined in 9 FAM 42.1 N1.1, a child under two years of age who was born of a Permanent Resident Alien mother during a temporary visit abroad does not require an immigrant visa in order to travel to the United States if the alien parent is in possession of a valid Form I-551 (i.e. green card), a valid reentry permit, or an SB-1 visa. The child must be admitted to the U.S. within two years of birth and the accompanying parent must be applying for readmission upon first return after the birth of the child. We suggest that the accompanying parent carry documentary evidence of his or her relationship to the child, including the child's passport and birth certificate.

I am a legal permanent resident, but I wish to abandon my LPR status because I am now living abroad. How do I do so?

If you wish to surrender your green card, please contact the United States Citizenship and Immigration Service (USCIS) office by e-mail at cis.ndi@dhs.gov or visit the USCIS office in person by making an Infopass appointment [here](http://infopass.uscis.gov/) (<http://infopass.uscis.gov/>).

My legal permanent resident relative passed away while in India. Can the Embassy assist me in getting a death certificate from the Indian government so I can claim my relative's Social Security benefits?

No. The Embassy may assist in obtaining a death certificate from the Indian government only if the deceased was an American citizen. However, a local attorney may be able to assist you in completing the formalities. [Click here \(link to ACS attorney list\)](#) for a list of attorneys who practice in our district.

I am a US immigrant currently in India and I have received an appointment notification for biometric fingerprints from USCIS Service Center to complete processing of my legal permanent resident card. Can I do this at the US Embassy in New Delhi?

The U.S. Embassy, New Delhi does not provide fingerprinting services other than the routine collection of electronic fingerprints for visa applicants. Please contact the USCIS New Delhi Field Office at cis.ndi@dhs.gov for information regarding fingerprinting services. Do not appear at the USCIS New Delhi Field Office for fingerprinting unless specifically requested by that office to do so.